

**From:** Boyd Fletcher  
**To:** Microsoft ATR  
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**Subject:** U.S. v. Microsoft

DOJ,

A couple of ideas to consider regarding the Microsoft Antitrust case:

1) in the early 1990's MS released Windows 3.0. Shortly afterwards it released MS Office 4.x for Windows. This was

was the driving reason behind the popularity of Windows. However, it should be noted that the major word processor

at the time was Word Perfect and the major spreadsheet was Lotus 123. Within two years of the release of MS Office 4.x,

Word Perfect and Lotus 123 had dropped from their number one spots to 2nd place and were losing ground

rapidly. The major reasons behind their fall was their "late" support of MS Windows platform (which MS had illegally forced most

of the major computer vendors to ship with the new PCs.). The reasons for their slow creation of a windows version

was MS's reluctance to provide sufficient information about the Windows API to 3rd party vendors with whom it competes.

MS was essentially done with MS Office 4.x when Windows 3.0 was released. It took almost

two years for Word Perfect and Lotus-123 to get fully functioning Windows versions. This is example of why the

operating system part of the company and the application part need to be separate. Now MS control 95% of the

Office suite market and their software only runs on Windows and MacOS. Lotus and WordPerfect (now owned by

Corel) have less than 10% however their products run on most major operating systems including DOS, Unix, Solaris,

Linux, MacOS, and Windows. The only office suite that is growing in use is the StarOffice (OpenOffice) suite from Sun

Microsystems and they have had to make it open source and give it away free in order to compete with MS Office.

Now how can this be good for competition when a company has to give software away in order to compete against

a monopoly. How is maintaining this monopoly good for consumers? I like to have choice. If MS's had its way, there wouldn't be any choice.

2) Look what MS did to Borland Corp. By not releasing APIs to its Windows operating until after it was released, MS

gave its own products (esp Visual Basic and Visual C++) a significant leg up over the competition. Why buy Borland's

product when MS's product was available when the operating system was released and was build with cooperation of the

access to the operating systems' developers. Borland had to reverse engineer parts of Windows to achieve the same

functionality that Visual Basic/C++, a time consuming and costly process. Now Borland has switch almost entirely to

Java and Delphi environments on Solaris, Linux, and Windows. At least in this realm they can compete since Microsoft

application programmers don't have advantage of having the operating system developers in the next building.

This country has always prided itself on competition and an open market economy. However, we as a country realized early on that a totally free market degenerates into a bunch of monopolies if allowed to grow unchecked. We created antitrust law to prevent monopolies from growing and reducing consumer choice and increasing prices. Please reconsider the MS settlement and proceed with proceeding to break up the company into four parts:

- 1) Operating Systems
- 2) Applications (Exchange, Office, Internet Explorer, SQL Server, Visual Studio, etc..)
- 3) Entertainment and Education software (Games, Xbox, etc...)
- 4) Media (MSN, MSNBC, MSN Broadband, etc...)

One last example, in the late seventies/early eighties Sprint and MCI were successful in bringing litigation that lead to the break up of AT&T. In the 20 years since the AT&T breakup U.S. has seen a tremendous growth in Telecommunications including the largest fiber optic infrastructure in the world, the world's cheapest phone rates, the world's fastest and cheapest data lines (broadband) rates, thousands of different phones are available from hundreds of vendors, more functionality (like caller-id, call-waiting, voice mail etc...) and more competition than in any other country in the world. This has been huge benefit to the consumer and the country.

The government should use the AT&T breakup as an excellent example of when and why to breakup monopolies and Microsoft has been ruled a monopoly.,

thanks,

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